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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ZACHARY JOHNSON

Plaintiff,

vs.

COUNTY OF KERN; KERN COUNY
SHERIFF DONNY YOUNGBLOOD, in his
individual capacity, and DOES 1 to 100,
inclusive, in their individual capacities,

Defendants.

Case No.: 1:20-cv-01062-NONE-JLT

**STIPULATION TO MODIFY
SCHEDULING ORDER AND
[PROPOSED] ORDER GRANTING
STIPULATION AND MODIFYING
SCHEDULING ORDER
(Doc. 19)**

Defendants COUNTY OF KERN and KERN COUNTY SHERIFF DONNY YOUNGBLOOD, (collectively "Defendants"), and Plaintiff, ZACHARY JOHNSON, by and through their respective counsel, respectfully request the Court modify its pre-trial scheduling order (Dkt. 8) to extend the deadlines for expert disclosures and expert discovery as outlined below. Good cause exists to modify the current Scheduling Order.

1. On October 23, 2020, pursuant to the stipulation of the Parties, this Court entered an order scheduling this case (Dkt. 8) (Scheduling Order).

2. The Scheduling Order set the following deadlines:

- a. Non-Expert Disclosures: January 15, 2021
- b. Expert Disclosures: July 20, 2021
- c. Non-Dispositive Motion Filing: December 30, 2021
- d. Non-Dispositive Motion Hearing: February 10, 2022
- e. Dispositive Motion Filing: March 23, 2022
- f. Dispositive Motion Hearing: April 20, 2022

3. On May 18, 2021, Plaintiff filed a request to the Court for an Informal Discovery Dispute Conference Call (Dkt. 16).

4. On May 20, 2021, the Court set an Informal Discovery Dispute Conference call between the parties. The Court Ordered, after said hearing, that Defendants were to provide responses to the outstanding written discovery no later than May 25, 2021. The Court further Ordered “outstanding depositions should be completed no later than June 23, 2021. If, despite their very best efforts to complete these deposition by June 23, 2021, they cannot do so, they may submit a stipulation to amend the case schedule,” (Dkt.19).

5. Over the following weeks, the parties conducted eleven depositions of deputies and PMKs.

6. To date, the parties have received deposition transcripts for only six of these depositions.

7. Additionally, both parties are waiting on receipt of subpoenaed medical records that should have been delivered several weeks ago.

8. The existing expert disclosure date is July 20, 2021.

9. The current expert disclosure date does not allow the deponents time to review their deposition testimony, or allow the parties and their experts the time necessary to review all the depositions and medical records required for this case.

10. The parties have met and conferred in good faith and based on the foregoing, jointly seek the Court’s approval to amend the Scheduling Order (Dkt.8) as follows:

- a. The Parties are ordered to disclose all expert witnesses in writing on or before September 19, 2021.
- b. The parties are ordered to complete all discovery pertaining to experts on or before December 12, 2021.

NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the Parties, through the undersigned counsel, as follows:

Upon the Court's approval, the Scheduling Order (Dkt. 8) shall be amended as follows:

1. The Parties are ordered to disclose all expert witnesses in writing on or before September 19, 2021.
2. The parties are ordered to complete all discovery pertaining to experts on or before December 12, 2021.

IT IS SO STIPULATED.

Dated:

RODRIGUEZ & ASSOCIATES

By: /s/ JOSEPH WHITTINGTON /
JOSEPH WHITTINGTON
ATTORNEY FOR PLAINTIFF

Dated:

KERN COUNTY COUNSEL

By: /s/ ROBERT RICE /
ROBERT RICE
ATTORNEY FOR DEFENDANTS

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**[PROPOSED]
ORDER**

IT IS HEREBY ORDERED THAT:

1. The Scheduling order (Dkt. 8) is hereby amended as follows:
 - a. The Parties are ordered to disclose all expert witnesses in writing on or before September 19, 2021.
 - b. The parties are ordered to complete all discovery pertaining to experts on or before December 12, 2021.

IT IS SO ORDERED.

Dated: July 12, 2021

/s/ Jennifer L. Thurston
CHIEF UNITED STATES MAGISTRATE JUDGE